

CHAMBERS
IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

2005 JUN 22 PM 1:52
STATE OF OHIO

SUMMIT COUNTY
CLERK OF COURTS
V.

CASE NO. CR-2005-11-4175

JUDGE BRENDA BURNHAM UNRUH

PROTECTIVE ORDER

DENNIS OLIVER

On this 22 day of June, 2006, this matter comes before me, the undersigned Judge Brenda Burnham Unruh Summit County Court of Common Pleas, Summit County, Ohio, pursuant to a motion made by Defendant. The Court orders as follows:

PROPER PERSONS

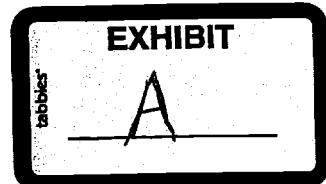
1. Defense Counsel and Defendant's designated computer forensics and digital imaging experts are proper persons as defined by this order and Ohio Revised Code 2907.321(B)(1), 2907.322(B)(1), and 2907.31(C)(1).
2. Counsel for the State of Ohio and its designated computer forensics and digital imaging experts are proper persons as defined by this order and Ohio Revised Code 2907.321(B)(1), 2907.322(B)(1), and 2907.31(C)(1).
3. Those "proper persons" possession, review, use of, provision to experts of materials related to this case are within the "judicial purposes" exception of Ohio Revised Code sections 2907.321, 2907.322 and 2907.323.

AUTHORIZATION FOR PROPER PURPOSES

All proper persons identified herein are authorized and protected as follows.

- 1) To receive, possess and copy as necessary for judicial purposes a complete copy of all seized media in this matter
- 2) To receive and possess copies of the alleged contraband digital images seized in this matter.
- 3) To make copies of said alleged contraband digital images as necessary and create digital image exhibits addressing the technological issues of this case for use at the trial of this matter. Said copies and/or digital image exhibits may be produced by either party for judicial purposes and must be maintained within the control of the proper persons as herein defined.
- 4) The Court finds that the above-referenced provisions are to be deemed proper purposes pursuant to this order and Ohio Revised Code 2907.321 (B)(1), 2907.322(B)(1), and 2907.31(C)(1).

DISPOSITION
EXHIBIT 2



- (a) Originals, if any, and all copies of alleged contraband are to be returned to the Summit County Prosecutor's Office.
- (b) All state and defense digital image exhibits containing all or some portion of the alleged contraband seized in this matter are to be submitted to the court for safekeeping pending any appeals.
- (c) Within 7 days, a letter from all parties covered by this order shall be filed with this court confirming that all terms of this order have been complied with.

NO FEDERAL PREEMPTION

- 7) The Ohio Revised Code governs the conduct of the State of Ohio, its experts, defense counsel and its experts in this matter.
- 8) Any federal statute(s) to the contrary of the relevant statutes in the Ohio Revised Code do not preempt the provisions and protections in the Ohio Revised Code and this protective order. (See Order of June 1, 2006).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion is granted; the above findings are the order of this Court and will govern the rights, duties, and obligations of the parties, as well as provide protection to the parties for the proper purposes as defined by this Order.



HON. BRENDA BURNHAM UNRUH